

ecoNews — Wire —

IOWA DEPARTMENT OF NATURAL RESOURCES

October 18, 2002

1. **Livestock rulemaking proposed at Oct. 21 EPC meeting**
2. **Counties required to provide public notice on proposed large confinements**
3. **Gasoline prices rise at the pump following storms in the Gulf**
4. **Bacteria levels at Prairie Rose Lake to be discussed at public meeting**
5. **Air monitoring public comment meeting scheduled for Mason City**
6. **Public comment period extended again for Iowa's impaired waters list**
7. **Advisories remain posted at Union Grove and Backbone state parks**
8. **DNR helps biofuels industry with environmental compliance**

LIVESTOCK RULEMAKING PROPOSED AT OCT. 21 EPC MEETING

DES MOINES — The Environmental Protection Commission will be asked to approve rulemaking for a statewide rating system to evaluate sites of large confinement feeding operations at its Oct. 21 meeting.

“The so-called master matrix incorporates recommendations from 10 agencies and groups on how to evaluate sites for livestock and poultry operations,” said Robin Pruisner, coordinator of rulemaking for the DNR animal feeding operations.

The meeting will start at 10 a.m. at the DNR office, 7900 Hickman Road in Urbandale. Public participation is scheduled for 10:30 a.m. The meeting is open to the public.

Other livestock rulemaking that commissioners will be asked to consider addresses separation distances, fees, annual submittal of manure management plans, the review process for construction permits and changes in definitions.

Assistant Director Rick Kelly will discuss the role of the University Hygienic Laboratory in environmental protection at 1 p.m.

The complete agenda follows:

- **Approve Agenda**

- Approve Minutes from October 9, 2002
- Director's Remarks
- Contract - Iowa State University - Iowa Industries of the Future 2003
- Contract - State Public Policy Group - State landfill Ban Procedure and Oil Filter Test Case
- Notice of Intended Action - Chapter 117, Requirements for Waste Tire Facilities - Setback Distances
- Proposed Rule - Chapter 108 Reuse of Solid Waste (Rescission); Chapter 108 Beneficial Use Determinations - Solid Waste Byproducts as Resources & Alternative Cover Material (Adoption)
- Notice of Intended Action-Chapter 65 (amendments to definitions; minimum separation distances for land application of manure and construction of confinement feeding operation structures; collection of annual compliance fee; submission of annual manure management plan updates; the site inspection and construction permit application review process; replacement of interim matrix with master matrix and amendment of Table 6)
- Final Rule - Chapter 82, Well Contractor Certification (Adoption)
- Final Rule - Chapter 38, Private Well Construction Permits (Amendment)
- Contract - Quality Consulting Inc - Private Well Tracking System Improvements
- Proposed Rule, Chapters 65, Animal Feeding Operations; Chapter 70, Flood Plain Development; Chapter 71, Flood Plain or Floodway Development – When Approval is Required; and Chapter 72, Criteria for Approval (Confinement Feeding Operations on Floodplains)
- Notice on Intended Action - Chapter 7, Rules of Practice in Contested Cases (Adoption by Reference of Director's Amendments)
- Notice of Intended Action - Chapter 2, Public Records and Fair Information Practices (Emission and Effluent Data Definitions)
- Referral to the Attorney General
- Ryan and Teresa Barton
- Wisconsin North, LLC
- Jerry Chatfield d/b/a North Iowa Truck and Tractor
- Presentation - University Hygienic Laboratory Contracted Services, Rick Kelley, Assistant Director
- Contract - University Hygienic Laboratory - Ambient Water Quality Monitoring for Fiscal Year 2003
- Contract - University of Northern Iowa - McLoud's Run Benthos Survey
- Contract - University of Northern Iowa - Organophosphorus Insecticide Contamination in Streams - Insects as Bioindicators
- Contract - Iowa State University - Economic Value of Preserving Iowa's Lakes
- Monthly Reports
- General Discussion
- Items for the Next Meeting

The members of the commission are Kathryn Murphy, Chair, LeMars; Terrance Townsend, Newton; Lisa Davis-Cook, West Des Moines; Rita Venner, Breda; Gary C.

Priebe, Algona; Darrell Hanson, Manchester; J. Kelly Tobin, New Market and Lori Glanzman, Mt. Pleasant. The director of the DNR is Jeff Vonk.

For more information, contact Karen Grimes, at (515) 281-5135.

COUNTIES REQUIRED TO PROVIDE PUBLIC NOTICE ON PROPOSED LARGE CONFINEMENTS

DES MOINES — Following advice from the attorney general's office, the DNR will not issue construction permits for proposed confinement feeding operations unless it has received proof of public notice.

“Because the notice is required by state law, we are notifying 28 counties with pending construction projects that the supervisors must inform the public that they’ve received a construction permit application and the county is accepting public comments,” said Reza Khosravi, acting supervisor of the DNR animal feeding operations.

The DNR is reviewing 36 construction permit applications, ranging from two applications that were received last week to others that are near the end of the review process.

“If the county did not provide notice, we are advising them to publish it immediately because the county has just 30 days to provide public notice, collect public comments and forward them to the DNR,” said Khosravi.

The DNR has not issued a 30-day moratorium on permits.

While state law requires a detailed notice, it leaves the procedure for collecting public comments up to the individual counties. That means that the board can choose to hold a public hearing or simply provide an address where comments can be sent.

If a county does not wish to review public comments or develop a county board position, the DNR strongly recommends that the county board forward all public comments it receives to the DNR.

The requirement for public notice does not apply to mid-sized operations that are not required to obtain a construction permit, but are required to submit a manure management plan notifying the county of proposed new or expanding facilities.

A revised construction permit application form with a checklist for counties will be available soon on the DNR website at

<http://www.state.ia.us/dnr/organiza/epd/wastewtr/feedlot/feedlt.htm>.

For more information, contact Reza Khosravi, at (515) 242-6128.

GASOLINE PRICES RISE AT THE PUMP FOLLOWING STORMS IN THE GULF

DES MOINES — Gasoline prices increased \$0.09 from September to an average of \$1.45 for a gallon of self-serve, regular unleaded gasoline, according to the DNR's October 15 Gas Monitors survey. Prices across the state ranged from \$1.35 to \$1.52 per gallon and are \$0.20 higher than this time last year. The average price for regular unleaded with ethanol was \$1.44 per gallon. The latest data shows ethanol-blended gasoline represents 57 percent of the market share.

Retail conventional unleaded gasoline prices in Iowa are \$0.03 above the national average of \$1.42 and \$0.01 below the regional average of \$1.46 per gallon.

Gasoline prices have been trending higher at the pump over the last month, responding to supply concerns from the closing of several Gulf Coast refineries, terminals and pipeline operations due to Tropical Storm Isidore and Hurricane Lili. Gasoline imports were off more than 150,000 barrels per day last week, as poor weather conditions in the Gulf and a host of refinery problems abroad delayed the arrival and unloading of gasoline shipments. National gasoline inventories declined 5.8 million barrels last week and are now 2.6 percent behind last year.

"Most analysts expect the gasoline market to calm as the bad weather passes, with prices retreating to pre-storm levels," said David Downing, energy data analyst for the DNR.

The average price of self-serve diesel fuel for September was \$1.51, up \$0.07 from last month. Diesel fuel was \$1.44 per gallon one year ago. Diesel fuel prices have been pushed higher by rising crude prices and increased demand from the agricultural sector during the fall harvest.

Crude oil finished trading on October 17 at \$29.62 per barrel, up \$0.14 from last week. Crude oil prices have been fluctuating around \$30 per barrel over the last couple of weeks, with markets responding to concerns that the United States may be planning a military strike against Iraq in the near future, setting the stage for possible supply disruptions and price spikes. Crude oil prices have also been pushed higher by news that national crude oil inventories are now 26 million barrels (8.5 percent) below last year's level. The DNR expects crude oil prices to remain volatile during the next month, with prices fluctuating in the \$28 to \$30-per-barrel range.

Propane

The October 14 survey found the average price of propane was \$0.80 per gallon. This is up \$0.06 from the previous month and \$0.04 (4.8 percent) below the price of propane at this time last year. By Oct. 11, U.S. propane inventory stood at 69.7 million barrels, down 1.5 million barrels (1.2 percent) from the previous month. U.S. propane inventory remains 1.1 percent above last year.

Heating Oil Prices

The October 14 survey found the average price of No.2 heating oil was \$1.14 per gallon, up \$0.09 from last month. A year ago, the average price was \$1.24 per gallon. Heating oil prices have been pushed higher by rising crude oil prices. The DNR forecasts heating oil prices to begin their seasonal climb in September, responding to early weather-related demand.

MOTOR FUELS SURVEY

Self-Serve	September 20	October 18	Change
Regular Unleaded	1.36	1.45	+0.09
Regular Unleaded with Ethanol	1.35	1.44	+0.09
Premium Unleaded	1.47	1.53	+0.06
Diesel	1.44	1.51	+0.07
Full-Serve	September 20	October 18	Change
Regular Unleaded	1.50	1.56	+0.06
Regular Unleaded with Ethanol	1.58	1.55	-0.03
Premium Unleaded	1.68	1.68	Unchanged
Diesel	1.56	1.52	-0.04

HEATING FUELS SURVEY

	September 10	October 14	Change
Propane	0.74	0.80	+0.06
#2 Heating Oil	1.05	1.14	+0.09

AVERAGE SELF-SERVE UNLEADED PRICES IN MAJOR CITIES

	September 20	October 18	Change
Ames	1.38	1.48	+0.10
Cedar Rapids	1.35	1.39	+0.04
Council Bluffs	NRPT	1.43	NA
Davenport	1.28	1.44	+0.16
Des Moines	1.42	1.47	+0.05
Dubuque	1.36	1.50	+0.14
Fort Dodge	1.37	1.52	+0.15
Iowa City	1.40	1.50	+0.10
Sioux City	1.35	1.41	+0.06
Waterloo	1.31	1.44	+0.13
Average Metro Price	1.35	1.43	+0.08

AVERAGE SELF-SERVE UNLEADED PRICES IN RURAL IOWA

	September 20	October 18	Change
Northeast	1.32	1.45	+0.13
Northwest	1.39	1.48	+0.09

Southeast	1.37	1.43	+0.06
Southwest	1.39	1.46	+0.07
Rural Area Average	1.36	1.46	+0.10

Wholesale Prices in Metropolitan Areas Around Iowa

Unleaded (cents per gallon)	September 9	October 3
Des Moines	85.44	95.37
Dubuque	86.20	95.53
Diesel Fuel (cents per gallon)	September 9	October 3
Des Moines	86.07	94.72
Dubuque	86.69	95.16

For more information, contact David Downing at 515-281-4876 or Jennifer Moehlmann at 515-281-8518.

BACTERIA LEVELS AT PRAIRIE ROSE LAKE TO BE DISCUSSED AT PUBLIC MEETING

DES MOINES — A public meeting to discuss bacteria levels at Prairie Rose Lake will be held at 7 p.m. on Wednesday, Oct. 23, in the Auble Room of Myrtue Memorial Hospital in Harlan.

State officials representing the DNR, University of Iowa Hygienic Laboratory and the Iowa Department of Public Health will be in attendance. The purpose of the meeting is to help identify possible bacterial sources at the beach at Prairie Rose Lake and to develop a plan to address the high levels. Some additional monitoring was initiated after high bacteria levels were found recently during routine weekly sampling in August and September. State personnel will present the new information and local officials and residents will be able provide comment. Similar meetings have also been held to discuss high bacteria levels at Lake Darling, Rock Creek Lake and Beed's Lake.

Any interested individuals are encouraged to attend the meeting.

The beach at Prairie Rose Lake had a swimming advisory posted for three consecutive weeks this summer, from mid-August through the beginning of September. Current policy states when a beach exceeds Iowa's current water quality standard for bacteria (the geometric mean of 5 samples in a 30-day period exceeds 200 colony forming units of fecal coliform bacteria per 100 ml of water) the beach will not be closed; instead, a swimming advisory will be posted. Signs are posted and removed on Fridays based on the geometric mean calculation.

"The beach at Prairie Rose Lake hasn't had an advisory sign in well over a month, but we're trying to be responsive in looking at the possible bacteria sources," said Janice

Boekhoff, a research geologist with the DNR. “I feel the meetings we’ve had for other beaches with chronic high levels have been very productive; local citizens are genuinely interested and provide a great deal of helpful information.”

To access weekly bacteria test results, visit the Parks, Recreation and Preserves Web site at www.state.ia.us/dnr/beach2002.htm.

For more information, contact Boekhoff at (319) 335-1574 or Stefanie Forret at (515) 281-3150.

AIR MONITORING PUBLIC COMMENT MEETING SCHEDULED FOR MASON CITY

DES MOINES — The DNR will hold a public comment meeting Oct. 23 in Mason City to seek input on draft rules that establish technical air monitoring techniques for hydrogen sulfide and ammonia.

The draft rules establish an Ambient Air Sampling Manual containing monitoring requirements, data handling procedures, approved monitoring methods, and equipment and quality assurance requirements for determining compliance with proposed hydrogen sulfide and ammonia standards.

The meeting begins at 7 p.m. at the North Iowa Area Community College Museum-Norris Center, 500 College Drive in Mason City.

The proposal was established with input from a technical advisory group consisting of stakeholders and experts in air monitoring instruments and methods. There was consensus that the proposed measurement methods represent the best currently available monitoring methods.

An earlier September meeting in Mason City sought public comment on draft rules for the actual hydrogen sulfide and ammonia air standards. The public can still comment on either draft rules. The rules are posted at www.iowacleanair.com.

Written comments can be sent to Bryan Bunton, DNR Air Quality Bureau, 7900 Hickman Road, Suite 1, Urbandale, IA 50322 or bryan.bunton@dnr.state.ia.us or faxed to 515-242-5094. Comments will be accepted between September 18 and November 6, 2002.

PUBLIC COMMENT PERIOD EXTENDED AGAIN FOR IOWA’S IMPAIRED WATERS LIST

DES MOINES — The public comment period for Iowa’s impaired waters list has been extended from Oct. 11 to Nov. 1.

The original deadline for submitting comments on the impaired waters list required by Section 303(d) of the federal Clean Water Act was Sept. 19. The DNR, in

response to requests from citizens and organizations in the state, first extended the deadline to Oct. 11, but has now moved it to Nov. 1.

The decision to extend the deadline was based on requests from the public for additional time to comment, according to Marian Maas, supervisor of the DNR's TMDL and water quality assessment section.

"We recognize the volume and complexity of data used to compile the impaired waters list and can certainly understand the interest people have in wanting additional time to review it," Maas said.

The DNR is also reevaluating some lakes for impairment using a Trophic State Index. "Based on discussions with some of our stakeholders, there is interest in using the Index to assess lakes, but this requires additional time," Maas said.

Public comments will now be accepted on the draft list until Nov. 1, 2002. The list will be then be finalized and submitted to the U.S. Environmental Protection Agency (U.S. EPA) sometime in December.

EPA must either approve or disapprove the list and if disapproved, U.S. EPA must then make its own list. Comments may be sent to the address below:

Iowa Department of Natural Resources
Water Quality Bureau - Attn: TMDL Program
502 E 9th St.
Des Moines, IA 50319

For more information, contact Kevin Baskins at (515) 281-8395, or by e-mail at kevin.baskins@dnr.state.ia.us.

ADVISORIES REMAIN POSTED AT UNION GROVE STATE PARK AND BACKBONE STATE PARKS

DES MOINES — Swimming advisories due to elevated bacteria levels remain posted on the beaches at Union Grove State Park in Tama County and at Backbone State Park in Delaware County. The beach at George Wyth State Park in Black Hawk County will be closed for the remainder of the year as the DNR continues to investigate elevated bacteria levels there.

Signs warning the public that swimming is not recommended are now posted at both Union Grove and Backbone. People can still use the beach there including for swimming, but the risk of bacterial infection or disease is considered to be higher because bacteria levels have averaged more than U.S. Environmental Protection Agency (EPA) guidelines for fecal coliform bacteria over a 30-day period of time.

For more information, contact Kevin Baskins at (515) 281-8395 or Mary Skopec, 319-335-1575.

DNR HELPS BIOFUELS INDUSTRY WITH ENVIRONMENTAL COMPLIANCE

DES MOINES — In an effort to assist ethanol and biodiesel producers when building new plants, the DNR has made environmental compliance with this growing industry a top priority. The DNR hosted a stakeholder meeting on Oct. 11 to begin the process.

“The DNR strongly supports the development and expansion of the biofuels industry,” said Jeff Vonk, DNR director. “We want to help Iowa industries do what is best for our natural resources, without sacrificing economic success.”

The DNR’s goal is to provide compliance assistance, education, and serve as a resource in the early stages of plant planning.

Iowa’s biofuels industry has grown tremendously in the last five years, especially with the development of several farmer-owned cooperatives. Since 2001, 11 new ethanol plants have been planned or are already constructed, and two biodiesel plants are expanding production capabilities.

The DNR will continue working with the biofuels industry through workshops and in the development of educational materials.

For more information, contact Sharon Tahtinen at (515) 281-7066; e-mail: Sharon.Tahtinen@dnr.state.ia.us